

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DONNA M. MAGNI,

Plaintiff,

v.

3:15-CV-1177
(JUDGE MARIANI)

TIMES SHAMROCK

COMMUNICATIONS, et al.

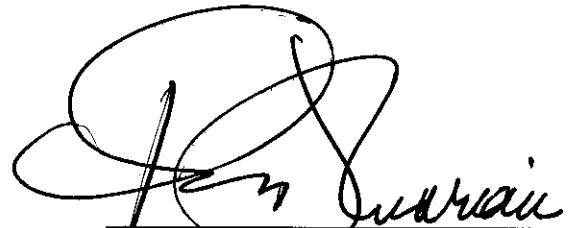
Defendants.

ORDER

The background of this Order is as follows: On March 30, 2016, Defendants Luzerne County, Robert C. Lawton, and Brian Swetz filed a Motion to Dismiss Plaintiff's Third Amended Complaint. (Doc. 41). This Court referred to the matter to the Honorable Magistrate Judge Carlson who issued a Report and Recommendation recommending that the Court grant in part and deny in part the Motion. (Doc. 57). Specifically, Magistrate Judge Carlson recommends that the Motion to Dismiss should be granted with respect to Plaintiff's wrongful discharge claim in Count 1 and her stigma-plus claim in Court 4. In all other respects, Magistrate Judge Carlson recommends that the Motion should be denied. Objections to the Report and Recommendation were due on January 20, 2017, and neither the Plaintiff nor the Defendants have filed an Objection to the Report and Recommendation.

AND NOW, THIS 27th DAY OF JANUARY, 2017, upon review of the Report and Recommendation for clear error or manifest injustice, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation, (Doc. 57), is **ADOPTED** for the reasons stated therein.
2. Defendants Luzerne County, Robert C. Lawton, and Brian Swetz's Motion to Dismiss, (Doc. 41), is **GRANTED IN PART AND DENIED IN PART** as reflected in the Report and Recommendation.
3. Count I of the Third Amended Complaint is **DISMISSED WITH PREJUDICE**.
4. Plaintiff's Stigma-Plus claim alleged in Count IV of the Third Amended Complaint is **DISMISSED WITH PREJUDICE**.



Robert D. Mariani
United States District Judge

FILED
SCRANTON

JAN 27 2017

~~PER~~ ~~DEPUTY CLERK~~

FILED
SCRANTON

JAN 27 2017

~~PER~~ ~~DEPUTY CLERK~~